

“(6) ADDITIONAL ASSISTANCE FOR UNDERPERFORMING STATES.—Upon application by a recipient that is located in an underperforming State, the Administrator may—

“(A) provide additional assistance to the recipient; and

“(B) waive the matching requirements under subsection (e)(2).

“(7) LIMITATION ON AWARDS.—The Administrator may only make 1 award or enter into 1 cooperative agreement per State in a fiscal year.”;

(3) in subsection (e)—

(A) in paragraph (2)—

(i) to by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—The non-Federal share of the cost of an activity (other than a planning activity) carried out using an award or under a cooperative agreement under this section shall be—

“(i) 25 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in an underperforming State, as calculated using the data from the previous fiscal year; and

“(ii) except as provided in subparagraph (B), 75 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in a State that is not described in clause (i) that is receiving SBIR and STTR first phase awards, as described in paragraphs (4) and (6), respectively, of section 9(e).”;

(ii) in subparagraph (D), by striking “, beginning with fiscal year 2001” and inserting “and make publicly available on the website of the Administration, beginning with fiscal year 2022”; and

(iii) by adding at the end the following:

“(E) PAYMENT.—The non-Federal share of the cost of an activity carried out by a recipient may be paid by the recipient over the course of the period of the award or cooperative agreement.”; and

(B) by adding at the end the following:

“(4) AMOUNT OF AWARD.—In carrying out the FAST program under this section—

“(A) the Administrator shall make and enter into awards or cooperative agreements;

“(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than \$500,000, which shall be provided over 2 fiscal years; and

“(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

“(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

“(A) the number of awards made under the SBIR or STTR program;

“(B) the number of applications submitted for the SBIR or STTR program;

“(C) the number of consulting hours spent;

“(D) the number of training events conducted; and

“(E) any issues encountered in the management and application of the FAST program.”;

(4) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “Small Business Innovation Research Program Reauthorization Act of 2000” and inserting “National Defense Authorization Act for Fiscal Year 2022”; and

(II) by inserting “and Entrepreneurship” before “of the Senate”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) a description of the process used to ensure that underperforming States are given priority application status under the FAST program.”; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “ANNUAL” and inserting “BIENNIAL”;

(ii) in the matter preceding subparagraph (A), by striking “annual” and inserting “biennial”;

(iii) in subparagraph (B), by striking “and” at the end;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(D) the proportion of awards provided to and cooperative agreements entered into with underperforming States; and

“(E) a list of the States that were determined by the Administrator to be underperforming States, and a description of any changes in the list compared to previously submitted reports.”; and

(5) in subsection (g)(2)—

(A) by striking “2004” and inserting “2022”; and

(B) by inserting “and Entrepreneurship” before “of the Senate”.

SA 4229. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XV, add the following:

SEC. 1516. ACTIVE PROTECTION OF THE MAJOR RANGE AND TEST FACILITY BASE.

(a) AUTHORITY.—The Secretary of Defense may take, and may authorize members of the Armed Forces and officers and civilian employees of the Department of Defense to take, such actions described in subsection (b) as are necessary to mitigate the threat, as determined by the Secretary, that a space-based asset may pose to the security or operation of the Major Range and Test Facility Base (as defined in section 196(i) of title 10, United States Code).

(b) ACTIONS DESCRIBED.—The actions described in this subsection are the following:

(1) To detect, identify, monitor, and track space-based assets without consent.

(2) Consistent with the statutory authority of the Secretary, to take such proactive actions as necessary to ensure that the Major Range and Test Facility Base is able to perform its intended function and meet operational and security requirements.

SA 4230. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 318. CONSIDERATION UNDER DEFENSE ENVIRONMENTAL RESTORATION PROGRAM FOR STATE-OWNED FACILITIES OF THE NATIONAL GUARD WITH PROVEN EXPOSURE OF HAZARDOUS SUBSTANCES AND WASTE.

(a) DEFINITION OF STATE-OWNED NATIONAL GUARD FACILITY.—Section 2700 of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) The term ‘State-owned National Guard facility’ means land owned and operated by a State when such land is used for training the National Guard pursuant to chapter 5 of title 32 with funds provided by the Secretary of Defense or the Secretary of a military department, even though such land is not under the jurisdiction of the Department of Defense.”.

(b) AUTHORITY FOR DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Section 2701(a)(1) of such title is amended, in the first sentence, by inserting “and at State-owned National Guard facilities” before the period.

(c) RESPONSIBILITY FOR RESPONSE ACTIONS.—Section 2701(c)(1) of such title is amended by adding at the end the following new subparagraph:

“(D) Each State-owned National Guard facility being used for training at the time of actions leading to contamination by hazardous substances or pollutants or contaminants.”.

SA 4231. Mr. CRUZ (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 125, line 19, strike “foam” and insert “solution”.

SA 4232. Mr. REED (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 596. AUTHORIZATION TO AWARD MEDAL OF HONOR TO PRIVATE FIRST CLASS CHARLES R. JOHNSON FOR ACTS OF VALOR DURING THE KOREAN WAR.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may award the Medal of Honor under section 7271 of such title to Private First Class (PFC) Charles R. Johnson for the acts of valor described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of PFC Charles R. Johnson on June 11-

12, 1953, as a member of the Army serving in Korea during the Korean War.

SA 4233. Mr. REED (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In title X, add at the end the following:

Subtitle H—Council on Military, National, and Public Service

SEC. 1071. ESTABLISHMENT OF COUNCIL ON MILITARY, NATIONAL, AND PUBLIC SERVICE.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established in the Executive Office of the President a Council on Military, National, and Public Service (in this section referred to as the “Council”).

(2) **FUNCTIONS.**—The Council shall—

(A) advise the President with respect to promoting and expanding opportunities for military service, national service, and public service for all people of the United States;

(B) coordinate policies and initiatives of the executive branch to promote and expand opportunities for military service, national service, and public service; and

(C) coordinate policies and initiatives of the executive branch to foster an increased sense of service and civic responsibility among all people of the United States.

(b) **COMPOSITION.**—

(1) **DIRECTOR.**—The President shall appoint an individual to serve as the Assistant to the President for Military, National, and Public Service and the Director of the Council, who shall serve at the pleasure of the President. The Assistant to the President for Military, National, and Public Service shall serve as the head of the Council.

(2) **MEMBERSHIP.**—In addition to the Director, the Council shall be composed of such officers as the President may designate.

(3) **MEETINGS.**—The Council shall meet on a quarterly basis, or more frequently as the Director of the Council may direct.

(c) **RESPONSIBILITIES OF THE COUNCIL.**—The Council shall—

(1) assist and advise the President and the heads of Executive agencies in the establishment of policies, goals, objectives, and priorities to promote service and civic responsibility among all people of the United States;

(2) develop and recommend to the President and the heads of Executive agencies policies of common interest to Executive agencies for increasing the participation, and propensity of people of the United States to participate, in military service, national service, and public service in order to address national security and other current and future needs of the United States including policies for—

(A) reevaluating benefits for the Federal public service and national service programs in order to increase awareness of and remove barriers to entry into such programs;

(B) ensuring that the participation in and leadership of the military, the Federal public service, and national service programs reflects the diversity of the United States including by race, gender, ethnicity, and disability status; and

(C) developing pathways to service for high school graduates, college students, and recent college graduates;

(3) serve as the interagency lead for identifying critical skills to address national security and other needs of the United States, with responsibility for coordinating governmentwide efforts to address gaps in critical skills and identifying methods to recruit and retain individuals possessing such critical skills;

(4) serve as a forum for Federal officials responsible for military service, national service, and public service programs to coordinate and develop interagency, cross-service initiatives;

(5) lead the effort of the Federal Government to develop joint awareness and recruitment, retention, and marketing initiatives involving military service, national service, and public service, including the sharing of marketing and recruiting research between and among service agencies;

(6) consider approaches for assessing impacts of service on the needs of the United States and individuals participating in and benefitting from such service;

(7) consult, as the Council considers advisable, with representatives of non-Federal entities, including State, local, and Tribal governments, State and local educational agencies, State Commissions, institutions of higher education, nonprofit organizations, philanthropic organizations, and the private sector, in order to promote and develop initiatives to foster and reward military service, national service, and public service;

(8) oversee the response to and implementation of, as appropriate, the recommendations of the National Commission on Military, National, and Public Service established under section 553 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2132);

(9) not later than 2 years after the date of enactment of this Act, and quadrennially thereafter, prepare and submit to the President and Congress a Quadrennial Military, National, and Public Service Strategy, which shall set forth—

(A) a review of programs and initiatives of the Federal Government relating to the mandate of the Council;

(B) notable initiatives by State, local, and Tribal governments and by nongovernmental entities to increase awareness of and participation in service programs;

(C) current and foreseeable trends for service to address the needs of the United States; and

(D) a program for addressing any deficiencies identified by the Council, together with recommendations for legislation;

(10) not later than 4 years after the date of enactment of this Act, and quadrennially thereafter, prepare and submit to the President and Congress a Quadrennial Report on Cross-Service Participation on the basis of the activities carried out under the strategy submitted under paragraph (9);

(11) prepare, for inclusion in the annual budget submission by the President to Congress under section 1105 of title 31, United States Code, a detailed, separate analysis by budget function, by agency, and by initiative area for the preceding fiscal year, the current fiscal year, and the fiscal years for which the budget is submitted, identifying the amounts of gross and net appropriations or obligational authority and outlays for initiatives, consistent with the priorities of the President, under the Quadrennial Military, National, and Public Service Strategy, with separate displays for mandatory and discretionary amounts;

(12) develop a joint national service messaging strategy that incorporates domestic and international service that both the Corporation for National and Community Service and the Peace Corps would promote; and

(13) perform such other functions as the President may direct.

(d) **RESPONSIBILITIES OF THE DIRECTOR OF THE COUNCIL.**—In addition to duties relating to the responsibilities of the Council described in subsection (c), the Director of the Council shall—

(1) coordinate with the Assistant to the President for National Security Affairs for any matter that may affect national security;

(2) at the discretion of the President, serve as spokesperson of the executive branch on issues related to military service, national service, and public service;

(3) upon request by a committee or subcommittee of the Senate or of the House of Representatives, appear before any such committee or subcommittee to represent the position of the executive branch on matters within the scope of the responsibilities of the Council; and

(4) perform such other functions as the President may direct.

(e) **ORGANIZATIONAL MATTERS.**—

(1) **ASSISTANT TO THE PRESIDENT FOR MILITARY, NATIONAL, AND PUBLIC SERVICE.**—The Assistant to the President for Military, National, and Public Service shall be compensated at the rate of basic pay prescribed for level II of the Executive Schedule under section 5313 of title 5, United States Code.

(2) **STAFF.**—The Council may employ officers and employees as necessary to carry out of the functions of the Council. Such officers and employees of the Council shall be compensated at a rate not more than the rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(3) **EXPERTS AND CONSULTANTS.**—The Council may, as necessary to carry out of the functions of the Council, procure temporary and intermittent services of experts and consultants under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(4) **ADVISORY COMMITTEES.**—The Council may, in carrying out the functions of the Council, direct a member of the Council to establish advisory committees composed of representatives from outside the Federal Government.

(5) **AUTHORITY TO ACCEPT GIFTS.**—The Council may accept, use, and dispose of gifts or donations of services, goods, and property, except for cash, from non-Federal entities for the purposes of aiding and facilitating the work of the Council.

(6) **AUTHORITY TO ACCEPT VOLUNTARY SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Council may accept and employ voluntary and uncompensated services in furtherance of the purposes of the Council.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(g) **CONFORMING AMENDMENT.**—Section 1105(a) of title 31, United States Code, is amended by adding at the end the following:

“(40) a separate statement of the amount of appropriations requested for the Council on Military, National, and Public Service in the Executive Office of the President.

“(41) a detailed, separate analysis by budget function, by agency, and by initiative area for the preceding fiscal year, the current fiscal year, and the fiscal years for which the budget is submitted, identifying the amounts of gross and net appropriations or obligational authority and outlays for initiatives, consistent with the priorities of the President, under the Quadrennial Military,